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10 **UNITED STATES DISTRICT COURT**  
11 **EASTERN DISTRICT OF WASHINGTON**  
12 **AT SPOKANE**

13 STATE OF WASHINGTON, *et al.*,

14 Plaintiffs,

15 v.

16 UNITED STATES DEPARTMENT OF  
HOMELAND SECURITY, *et al.*,

17 Defendants

No. 4:19-cv-5210-RMP

JOINT STATUS REPORT

1 The parties respectfully submit this Joint Status Report pursuant to the Court's  
2 February 5, 2021 Order. As Defendants reported previously, on February 2, 2021, the  
3 President issued an Executive Order addressing issues pertinent to this action, titled  
4 Executive Order on Restoring Faith in Our Legal Immigration Systems and Strengthening  
5 Integration and Inclusion Efforts for New Americans.<sup>1</sup> The Executive Order directs  
6 heads of relevant agencies, including the Secretary of Homeland Security, to review  
7 agency actions related to implementation of the public charge ground of inadmissibility,  
8 8 U.S.C. § 1182(a)(4)(A), in light of the policy set forth in the Executive Order and certain  
9 other considerations. Defendants report that, pursuant to the Executive Order, the  
10 Department of Homeland Security is reviewing the rule that is the subject of this lawsuit.

11 On February 16, 2021, the parties conferred by phone about the Executive Order  
12 and Defendants' counsel proposed a temporary stay of the litigation. On February 17,  
13 2021, Defendants proposed a 60-day stay of the litigation, until April 20, 2021, to allow  
14 DHS to focus its resources on the review process required by the Executive Order. Also,  
15 given the possibility that DHS's review may impact this lawsuit, Defendants submit that  
16 a time-limited stay could avoid expenditures of resources by the parties and the Court  
17 that could later become unnecessary. Defendants further proposed that the parties file a  
18 joint status report on April 27, 2021, one week after the expiration of the proposed stay.

19 Plaintiffs request leave to submit a follow-up Joint Status Report in one week, on  
20 February 24, 2020, in order to confer amongst the fourteen multistate partners regarding  
21 Defendants' proposal and to determine whether to request a trial scheduling conference.

22 <sup>1</sup> 86 Fed. Reg. 8,277 (published Feb. 5, 2021).

1 The Court's February 5, 2021 Order also asked the parties to indicate whether they  
2 are ready to proceed to a trial scheduling conference. At this time, the parties do not  
3 request a trial scheduling conference, but Plaintiffs will provide their position on a trial  
4 scheduling conference in the February 24, 2021 follow-up Joint Status Report.

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7 Dated: February 19, 2021

Respectfully submitted,

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